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The Review of Religions

Vol. XXXV, No. 12

December 1936

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The
Review of Religions

Vol. XXXV DECEMBER, 1936 No. 12.

بسم الله الرحمن الرحيم

نحمده ونصلي على رسوله الكريم

IS ISLAMIC MARRIAGE ONLY A SOCIAL CONTRACT?

[BY MR. ABDUR RAHIM MALABARI, B.A., B.L.]

There is a tendency with text-book writers on 'Mohamaden' law to describe marriage under that law only as a pure contract as opposed to marriage under Hindu law which they always describe as a *samskara* or sacrament. The way in which the Islamic marriage is thus described and compared to the Hindu marriage has often struck me as mischievous and misleading. It is not only non-Muslim writers in general but also some of the Muslim writers who have subscribed to this view. The fact that this wrong interpretation was given to the Islamic law of marriage by some of the Muslim jurists whose authority has come to be recognised as unquestionable both by the Muslim public and the British Indian courts, no doubt, absolves these writers to a great extent from their responsibility or rather irresponsibility in the matter. But their act of presenting only a minor aspect of the subject and that too at the expense of its more important and salient features shows that they too have failed to appreciate the real importance of marriage in Islam.

No religion has insisted so much upon the free consent of both the parties to marriage as Islam has

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done. It is, I think, this free consent and the other elements of a contract which the Islamic law has laid down as conditions precedent to the validity of the marriage tie and the freedom it has allowed to both the parties to put an end to that tie when it is no longer possible for them to get on together happily and peacefully that has made these writers view the Islamic marriage only as a contract. I do admit that the Islamic law insists upon the presence of the essential elements of a legal contract in every marriage transaction. The contractual capacity of the parties and when they are incapable of entering into a binding contract the consent of their guardians for the purpose, the making of a proposal or offer by one party and its acceptance by the other, and undertaking by the husband to pay to the wife a stipulated sum of money or any other thing by way of 'consideration', and the absence of such vitiating circumstances as fraud or wilful misrepresentation must all be there. So far as these matters are concerned I have absolutely no quarrel either with the text-book writers or the court decisions. What I object to is the very pernicious idea which these conditions are supposed to suggest that in Islam marital relationship is founded on a purely contractual basis and therefore in that religion it does not have that permanence and sanctity which it possesses in Hindu law and religion. This suggestion though not made in so many words is to be met with under cover almost in every text-book. It is further sought to make it clear in an indirect way by giving in every book unnecessary space and undue importance to what is known as *muta* marriage and to a classification of various kinds of *talak* which constitute but so many convenient methods of putting aside unwanted wives summarily and with impunity. The *muta* form of marriage finds such an elaborate discussion in every book as if it were the prevailing type of marriage among the Indian Muslims. The result is that after reading these books the students and particularly those among them whose knowledge of Islam is exceedingly poor come to believe that under the provisions of Islamic law, marriage has no permanent tenure and

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absolutely no spiritual significance. It is against the suggestion of this mischievous idea—an idea which seeks to defeat the whole spirit of the Quranic teachings and the instructions of the Holy Prophet on the subject of marriage and its incidents—that I protest.

If an institution ceases to have any sanctity and permanence about it simply because it admits of the exercise of certain amount of discretionary powers by persons who are primarily concerned with its successful working, I am not afraid to confess that marriage as contemplated by Islam is devoid of such sanctity and permanence. But can we have any institution meant for the good of human beings so constituted as wholly to ignore human will and change of circumstances? Will it not, even if so constituted, tend more to wreck our happiness and society than to safeguard them? I am, therefore, unable to understand the line of reasoning of those according to whom marriage as prescribed by Hinduism alone is the expression of a spiritual significance because in Hinduism a man and a woman once united are united for ever. They conveniently forget that such a complete merger of two persons for all times without recognising any circumstance in which they may have the liberty to part company is in many cases bound to result in untold miseries and life-long sufferings. I need not give here instances to prove it. They are not wanting in Hindu society. As the Islamic marriage is often compared to marriage among the Hindus and attempts are made at extolling the latter at the expense of the former it will not be out of place if I say here a few words regarding marriage as prescribed by the Hindu Shastras for the purpose of showing that those who indulge in such unnecessary comparisons do not really have any sense in or justification for doing so. But I resist that temptation.

Islamic Conception of Marriage

Though marriage among the Muslims as understood by lawyers and law-courts is only a bilateral agreement, its spiritual and moral importance in Islam is, none the less, very great or at any rate more

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significant than in any other religion. Whereas Hinduism like Christianity considers celebacy as one of the important factors which contribute to spiritual greatness and has prescribed marriage only for those who are worldly and spiritually inferior, Islam has laid it down as an obligatory institution for all except those who are physically unfit (The Holy Quran: 24. 32). According to Hindu theology marriage is a luxury which it is better to avoid; according to Islam it is an absolute necessity which should not be avoided except on very reasonable grounds. The Holy Quran does not recognise even poverty or lack of means as a ground for claiming exemption. That excuse is summarily disposed of by saying "if they are needy, Allah will make them free from want out of His grace". Islam looks upon the married state as the normal state and considers parenthood to be the duty of every human being. It, therefore, enjoins that so far as possible those who are single should be married. Thus marriage which in Hinduism is only a hindrance to spiritual progress becomes in Islam a necessary condition to that progress. And yet we are told that whereas in the former that institution is a sacrament of the highest order, in the latter it does not mean anything more than a voidable contract. So long as it is remembered that marriage is thus an obligation imposed by Islam upon every member of the society it cannot be mistaken for a contract nor can the rules enunciated by Islam to regulate that obligation and help its fulfilment be so understood or interpreted as, in any way, to lessen its importance.

As regards the objection that Islam by allowing divorce without restricting the circumstances in which it may be claimed has shaken the stability of married life and made the happiness sometimes of a large number of innocent souls dependent upon the caprice of an irresponsible individual, it may be observed that this objection is based on the ignorance of the law of divorce as laid down in the Holy Quran. As this subject is not free from misconceptions even as understood by intelligent people and as it is put forward as the principal reason why the Islamic marriage should

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be considered only as a contract, I would like to deal with it here in some detail.

The Islamic Law of Divorce

It is quite true that the Holy Quran has not restricted or specifically mentioned the cause of divorce. This is because a code which claims to be everlasting and of universal application cannot, with reason and justice, limit those causes which must naturally vary with the varying conditions of humanity and society. What the Holy Quran has, therefore, done is to concede a general right of divorce and then instead of enumerating the circumstances in which it may be claimed, to place the maximum number of restrictions upon the exercise of that right so that it may not be possible to misuse it. The Holy Quran thus does not tell us *when* the right of divorce can be exercised. It leaves that to us to determine. But it does tell us *how* that right is to be exercised. And those who have any knowledge of human psychology and the changing nature of human affairs will at once admit that the latter procedure is the only one that could be wisely and reasonably adopted. A few of the restrictions which the Holy Quran has placed on divorce may be briefly mentioned here to show that if the Quranic teachings are kept in view that right cannot be so wantonly exercised as is done in actual practice. But before trying it let me mention one characteristic feature of the law of divorce as laid down in the Holy Quran—a feature which is as important as it is generally ignored.

It is to be particularly noted that the right of divorce as recognised by the Holy Quran is not a one-sided right. The Quran gives the wife the same right to obtain divorce as it gives the husband to pronounce one. "And they (the wives) have rights similar to those against them in a just manner" declares the Holy Book (2 : 228). From this it should not, however, be inferred that the Quran does not make any distinction between the respective rights and duties of men and women. Inasmuch as the former are the bread-winners or, to use the Quranic expression, the *Qavva-*

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moon, and the latter the rearers of children, the spheres of their activities must necessarily differ. The duties imposed on men of supplying the needs of the family do not devolve on women and consequently they (the women) do not also have the rights which those duties carry with them. It is to make this point clear and to safeguard against the dangers of allowing men and women to assert identical rights in every walk of life that the Holy Quran adds "and the men are a degree above them". But the fact that men are declared to be a degree above women should not at the same time be so understood as to detract from the rights to which women are entitled "in a just manner". So far as the right of divorce is concerned there is absolutely no doubt that the wife is as much entitled to it as the husband, the only condition being that if she claims it she would forego her dowry. There is ample proof to show that this right was equally conceded to women by the Holy Prophet and his Successors. The case of Jameelah, wife of Sabit bin Qais, may be cited here as an example. It is a case of unimpeachable authority. Jameelah claimed divorce from her husband simply because she hated him. It is even said that his love for her was as intense as her hatred for him. Yet the Holy Prophet had her divorced on condition that she returned to her husband the garden which he had given her as her dowry (Bukhari). If a woman could claim a divorce for no reason other than her dislike for her husband, she has certainly a better right to claim it in the case of ill-treatment by the husband or any other satisfactory reason. But unfortunately it is exactly this aspect of the Islamic law of divorce, which gives it its strength and a distinct superiority over the Jewish and Christian laws as laid down in Deuteronomy and Matthew, that is not recognised in India.

Now let me mention some of the important restrictions placed by Islam on divorce—restrictions which are calculated to check its abuse very effectively.

Restrictions on Divorce

As the first restriction I may mention the fact that no divorce can be pronounced while the wife is in the

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period of menstrual discharge. The husband cannot exercise this right at any time he chooses. For divorce to be effective according to Islam it is necessary that it should be pronounced at a time when sexual indulgence is permissible between the husband and wife. As this is prohibited while the wife is subject to monthly course, divorce pronounced at such a time is illegal (Bukhari). This rule is introduced so that the smaller frictions of which married life is not always free may disappear before the ecstasy of mutual love. It is much to be regretted that in this and some other important respects the Islamic law of divorce not only as popularly understood but also as administered by the British Indian courts is more in conformity with the wrong interpretations of the jurists than with the spirit of the Quranic teachings and the sayings of the Holy Prophet.

The period of waiting which is known as *iddat* forms the second restriction. According to Islam divorce in order that it may have the effect of completely dissolving the marriage tie must be pronounced thrice, once in each *tuhr*, and each pronouncement must be followed by complete conjugal abstention. By *tuhr* is meant the period between two menses. The period of separation or *iddat* thus extends over three 'courses' which is normally three lunar months. The divorce is revocable after the first two pronouncements. The husband still retains a *locus peonitentiæ* and he may resume his conjugal relations if he so chooses. It is only after the third pronouncement that the divorce becomes irrevocable and definitely bars restitution. This interval is intended to serve as a check upon hasty actions and to promote cool thinking and peaceful settlement. If in spite of three months of separation, love fails to assert itself and bring about a reconciliation Islam says the sooner such a loveless union is ended the better. This provision alone is sufficient to prove that Islam never intended marriage to be a lifeless contract. Under the provisions of the Islamic law divorce can end only such marriages as really deserve to be ended. The objection that Islam by allowing divorce has shaken the

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stability of married life is, therefore, quite ill-founded. If, however, these sound principles of Islam have been replaced in India by foolish innovations of the jurists, it only speaks of the misfortune of the Indian Muslims.

As the third restriction on an unwise exercise of the right of divorce I may mention the interference by the authorities. If the married couple fall out, Islam requires the Qazi to appoint judges to look into their case and try to reconcile them. It is only when the judges fail to bring about reconciliation that a divorce is allowed. "And if you fear a breach between them" says The Holy Quran, "then appoint a judge from his people and a judge from her people; if they both desire agreement Allah will effect harmony betwen them" (4 : 35).

The fourth restriction is to be found in the provision which requires that the husband should, on divorce, pay up the whole or the balance of the dowry he has promised to pay. The dowry is usually a large sum and the incapacity and fear to meet that demand is sure to curb any inclination to divorce on the part of the husband. In actual practice this exercises a very effective control over him. The provision has another advantage. It saves the divorced wife from destitution and enables her to lead an independent and respectable life.

As the fifth "and for brevity's sake" the last of the restrictions I may mention collectively those innumerable teachings of the Holy Quran and the sayings of the Holy Prophet which aim at purifying our hearts and making us pious and God-fearing. There is no religion which has so repeatedly insisted upon kind treatment to women and particularly to wives as Islam has done. The whole law of marriage and divorce is summed up by the Holy Quran in the beautiful words "Keep them in friendship or send them with kindness." Almost every direction in connection with the subject of divorce is followed in the Quran by such injunctions as "be careful of your duty to Allah" or by words as "Allah is hearing, knowing". Attempt is thus made to purify the heart wherein germinate those

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ill-feelings and evil intentions which necessitate divorce and separation. Where conjugal peace is disturbed by such evil intentions no amount of external pressure can restore it. That peace must come from within or to be more correct from above. This is why the Holy Quran repeatedly tells us to be careful of our duty to God. "The best among you is he who is best towards his wife" is a well-known saying of the Holy Prophet. His words regarding divorce are memorable. "Of all the things which have been permitted to men" said he, "divorce is most hated by God."

The foregoing discussion, I hope, is sufficient to show how jealous Islam is of the rights of women and how many precautions it has taken to establish marital relations on sound and permanent basis. If some people even still persist in maintaining that Islam has meant marriage to be only a conveniently voidable contract, no argument or reason can convince them.

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THE UNIVERSAL SAVIOUR

(By M. Abdullah R. Scott)

Where is the so-called civilization of to-day leading us to? To all appearances it seems to be hurling us back to the pre-historic days of savagery.

The so-called civilized countries of the West, who have been despising the Eastern peoples and mocking at their culture and, who for hundreds of years have considered their own culture to be beyond reproach, have suddenly gone mad. They have been plunged into a devilish chaos in which each of these "highly cultured" races are flying at each other's throats. Their motto has become "women and wine, death and destruction" with the Devil himself and his hellish hordes as their ally.

Even their sense of decency has become unbalanced and immorality reigns supreme. Almost everything you come across connected with the West has the taint of shamelessness about it. The cinema, which could be put to a much more useful purpose, is being utilized for almost nothing else but as an immoral instructor for the young generation.

Also there is hardly a newspaper or a magazine in Europe to-day which does not contain pictures of women and girls wearing tight-fitting swimming costumes and athletic outfits. Others are half naked and some entirely naked and in many cases sitting, standing or lying down in disgustingly suggestive postures with every single contour of their bodies exposed to the public view.

Everything points to the fact that the religion of the Western people of to-day is a sexual one combined with the mad struggle for world power. The present international situation shows that all these great Powers have turned themselves into Samsons with their powerful arms wound round the pillars

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of civilization ready to bring it crashing down upon their own heads.

They have deliberately ranged themselves on the same level with the lower animals and have discarded the high pedestal of humanity with which their Creator favoured them. Self-respect has been thrown to the winds and it is becoming a common practice for both males and females to undress in public. Listen to what their religious authorities have to say on the subject.

The Rev. Kenneth Ashcroft, Vicar of Poplar tells us that "morals have gone to pieces.....but you have not to be in my business very long to know that morals have done a toboggan run. Mayfair, I should say, is as bad as any place. Yes, we may as well face it—the country is going to pot alright. There's no discipline, no reserve, deuced little sincerity. (*Daily Express*, 11th Sept. 1936.)

From the *People*, Sept. 13, 1936, under the heading "Seaside Vicar's War on Nudism," we read; "Worship of the body is now a universal fetish disease," says the Rev. R. B. Irons, Vicar of St. Pauls, Shanklin, I. O. W. in a spirited attack on beach undressing. "The ultimate objective is nudism, or should it not rather be called lewdism?" He writes in his Parish magazine :—

"This summer the stretch of foreshore under the jurisdiction of the Sandown and Shanklin Urban District Council has gained unenviable notoriety as the scene where bathers, male and female, publicly and wantonly undress and dress before a gathering of curious onlookers.

"We strongly urge the Shanklin members of the Council to prohibit a degenerate, debased practice by framing a by-law ordering every bather to undress and dress in the tents and huts.

"In the interests of decency and morality such a by-law is an absolute urgent necessity. No one with any regard for public morals will tolerate the town being turned into an arena on a mass scale of the human

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anatomy unadorned."

Mr. Irons says, "It is high time councillors turned their attention to insisting on parking places for those people whose sense of fitness of things and regard for ordinary proprieties of civilization are non-existent.

"A sound or sane mind can only be found in the individual who has become aware of the truth that man is infinitely more than a mere chemical compound or a physical body.

"The cult of the body—the modern mania—is the cause of the present world-wide dementia, the passion of killing and slaying that is spreading in such alarming fashion over the globe."

When will the people of the West realize that the root cause of all their troubles and degeneration is due to their having no sound religious basis to guide and control their actions. Christianity has failed them hopelessly and it is high time they took courage to discard that corpse of a faith, which has proved its worthlessness, instead of keeping on pampering it and trying in vain to restore it to life.

Even high Church dignitaries like Dr. Matthews, Dean of St. Paul's Cathedral, admit that Christianity is dying and that it has failed miserably to cope with a demented world. He says, "The influence of Christianity in the world steadily wanes. We must admit, if we have the courage to face the truth, that, while the rationalists have nothing to offer, what the Churches offer becomes less and less acceptable to the masses of Western civilization." (*John Bull.*)

Quite true. If a religion can do nothing to better our spiritual and temporal condition, what is the use of it? No one wants a religion full of myth, it is something realistic and full of substance that the present generation wants.

Mankind has no need for a religion which cannot show them a way out of the present world crisis, nor has it been able to raise woman to her proper status in life but, on the contrary, allows her to be degraded by

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stripping her of the glory of pure womanhood in permitting every Tom, Dick and Harry to gape at her naked or half naked body.

There is only one way to cope with and calm the seething volcano of the international situation, one way alone which will stop for ever the snarling and envy of nation against nation and create a true feeling of brotherhood throughout the world thereby giving us a real and lasting peace.

Also if woman wants true emancipation and to hold a high and honourable position in life, there is only one path for her to tread and that is, not by following modern habits and fashions, nor is it in the tottering ruins of Christianity but in the abode of Islam which has its foundation on solid rock.

The teachings of Islam raise the savage to the highest stage of morality. It is in this religion alone where the true believer gradually develops in his own person all the attributes of Almighty God which eventually enables him to hold blissful communion with his Creator.

It is the only remedy for all universal ailments and, like pure gold, can always stand the test in all ages.

To all well-wishers who desire to preserve the morality and peace of the world, I earnestly appeal to give Islam, the world's only Saviour, a fair test and I assure them they will never regret it, but, for God's sake do not leave it until it is too late.

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STATUS OF WOMAN IN ISLAM

(By Abdur Rahman Chowdhry, B.A.)

At the dawn of the seventh century of the Christian era, in the streets of Mecca, a quiet thoughtful man was often seen, denouncing in burning words the then prevailing tyrannical treatment of men towards women. He was the Prophet Mohammad (Peace and blessings of God be upon him) who alone had the unique honour of being "the only vindicator of women's rights." Before the advent of this great Prophet of Islam a false notion about womankind was deeply rooted in every mind. Each religion had been unfair to the "fair sex," while practically all the nations presented an awful picture of the treatment they meted out to them.

Woman in Hinduism

In Hinduism there existed the frightful institution of *Sati* which required a widow to throw herself into the raging flames of her deceased husband's funeral pyre. Manu, the greatest law-giver of ancient India, has completely taken away the freedom of women so that he has declared, "Day and night must women be held by their protectors in a state of dependence." The Mosaic Law holds divorce as the privilege of the husband only (Deut. XXIV: 1); while it has laid down that the vow of a woman might be disallowed by her father or husband (Numb. XXX: 3). In Roman Law woman was a dependent of her husband. She could not own property, and she was denied even the right of being a witness. She could not be a surety, a tutor or a curator. Neither could she adopt anyone, nor be adopted. She could not even make a valid will or a contract.

Judaism and Woman

Judaism too regarded woman as an unclean thing for it is written in 2 Chron; Chap. VIII that "Solomon

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brought the daughter of Pharaoh out of the city of David unto the house that he had built for her, he said, "my wife shall not dwell in the house of David, king of Israel, because the places are holy whereunto the ark of the Lord hath come." In addition to this the Hebrew maiden was considered as a slave even in the house of her father, the father had the right of selling her, and in case of his death, the sons could dispose of her at their will and pleasure. The daughter had no right of inheritance except in the absence of male heirs (Numb. XXX : 17).

Status of Woman in Christianity

Such was the miserable lot of woman and even Christianity held out no hope of refuge or redemption to her. The short itinerant ministry of Jesus did almost nothing to improve her condition. Paul defines the position of women under Christianity in the following terms :—"Of the woman came the beginning of sin and through her we all die," and again "Adam was not deceived but the woman being deceived was in transgression." Moreover we notice that women are required to remain subordinate to men as St. Paul would have them. "Let the woman" says he, "learn in silence for all subjection, for I suffer not a woman to usurp authority over the man but to be in silence." Again teachings like "Neither was the man created for the woman but the woman for the man," (1 Corinthians) and "Thy desire shall be to thy husband and he shall rule over thee," are such as no woman on earth can ever tolerate.

The Book of Genesis is responsible for describing women as 'the accursed one,' as it specifically lays down that "upon all women rests the curse of Eve. Their doom is to desire." In Job. XIV : 4, and XV : 14 we find another such specimen "who can bring a clean thing out of an unclean, not one. What is man that should be clean, and he which is born of a woman that he should be righteous." Jesus's reply to his own mother, "woman! who art thou? What have I to do with thee?" is also extremely derogatory. Other

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teachers of Christianity followed the example of their Master and used very harsh language for women. Tertullian addressing woman says, "Do you not know that you are each an Eve. The sentence of God on this sex of yours lives in this age. The guilt must of necessity live too. You are the devil's gateway; you are the unsealer of that tree; you are the first deserter of divine law; you destroyed so easily God's image—man."

The saints of the Christian Church have, likewise, freely indulged in the "pious" practice of reviling and denouncing woman. St. Bernard calls her as 'the organ of the devil"; St. Antony declares her as 'the foundation of the arms of the devil'; St. Jerome calls her 'the gate of the devil, and the road of iniquity'. Moreover she is 'the scorpion ever ready to sting' according to St. Bonaventure; 'the instrument which the devil uses to gain possession of our souls' according to St. Cypion; and 'the poison of an asp, the malice of dragon' according to St. Gregory the Great.

Degraded Condition of Woman before Islam in different countries

Such are some of the teachings of different religions. Before the advent of Islam woman had practically no respect and was considered as 'an unclean thing.' In Japan women were not allowed to pray or to take any part in religious exercises. In China too, they were not suffered to enter the temples. In India as well, they had nothing to do with the sacred texts, being regarded as impure as falsehood. If a consecrated image was touched by them, it was considered as defiled and was thrown away. In Egypt they were often barbarously sacrificed on the banks of the Nile.

Woman in Pre-Islamic Arabia

Among the settled pagan Arabs, woman was considered a mere chattel and so she formed an integral part of the estate of her husband or her father. The

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widows of a man generally descended to his sons by right of inheritance like any other portion of his patrimony. These pre-Islamite Arabs carried their aversion to women to such an extent that they burnt alive their female children. It was at this time when the social fabric was falling to pieces on all sides, that Muhammad (peace and blessings of God be upon him) introduced his reforms. He perceived the low position occupied by women in society and so abolished all those fearful customs and inhuman practices under pain of severe penalties. He wiped away all the iniquities, as it were, with one stroke; and enforced as one of the essential teachings of his creed "the highest respect for woman."

He secured to women rights which they had never possessed before. He allowed them many privileges and placed them on a footing of perfect equality with men. It was he who, in order to enjoin respect to mother, has said, "Paradise lies under the feet of thy mother," and who, regarding treatment to wife has observed, "among my followers the best of men are they who are best and kindest to their women"; and, still more raised her status by saying, "Woman is sovereign in the house of her husband." What a beautiful teaching the like of which is hardly to be met with in any religion.

Status given her by Islam

The Holy Quran lays special stress on elevating women to a footing of equality with men, and for that purpose has devoted one long chapter to it. The opening verse of the chapter entitled *Nisa* (women) is the keynote of the reforms introduced by the Quran. It runs as follows:—"O men, fear your Lord, Who hath created you from one soul, and of his kind created his wife, and from these hath spread aboard many men and women. And fear ye God in Whose name ye ask mutual favour, and reverence the womb that bear ye. Verily, God is watching you."

On the one hand men are forbidden to take

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advantage of the weak condition of women and on the other they are commanded to treat them kindly because they have a common origin. It is for them that the Book of Islam has used phrases like "Treat them kindly;" and "garments for men."

In matters of spiritual and moral progress the Holy Quran makes no difference between man and woman. It has declared that women are as capable of moral, spiritual and intellectual advancement as men for it lays down that:—

1. "Whoever does good, whether male or female, and he is a believer, we will certainly make him live a happy life, and will certainly give them their reward for the best of what they did" (XVI: 97).

2. "And whoever does good deeds, whether male or female and he is a believer, these shall enter the garden and they shall not be dealt with a job unjustly" (IV: 124).

3. "I will not waste the work of a worker among you, whether male or female, the one of you being from the other" (III: 194).

4. "And whoever does good, whether male or female, and he is a believer that shall enter the garden, in which they shall be given sustenance without measure" (XL: 40).

So according to the teachings of Islam all the spiritual rewards are open to women as much as they are to men. Both men and women are equally rewarded by God and equally eligible to His followers.

Further, we notice that Islam gives woman an independent economic status; an inalienable right of inheritance, an individual right of property. She can earn wealth, own it and use it at her own will. To this the Holy Quran refers as follows:—

1. "Men shall have the benefit of what they earn and women shall have the benefit of what they earn" (IV: 32).

2. "Men shall have a portion of what the parents and the near relatives leave and women shall

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have a portion of what the parents and the near relatives leave " (IV : 7).

It is the code of Islam alone which keeps intact a woman's right to property, with a full right of enjoyment and alienation. Her personal earnings cannot be usurped by a prodigal husband, nor can she be ill-treated with impunity. In matters of contract she is freely allowed to create personal rights and obligations independent of her husband. She can sue her debtors independently of her husband. All these privileges which belong to her as a woman and a wife are secured to her not by courtesies and indulgences but by the actual text of the Book of Islamic law.

It was the Prophet of Arabia who effected a marked improvement in the position of women by introducing a perfect law and a noble example. The following gems from the sayings of the Holy Prophet will make clear the respect which he intended to create in the minds of men about women.

The Prophet's Injunctions

1. Women are the twin-halves of men.

2. God enjoins you to treat women well, for they are your mothers, daughters and aunts. Those men who beat their wives do not behave well. He is not of my way who teacheth woman to stray.

3. The rights of women are sacred; see that women are given the rights to which they are entitled.

4. Do not prevent your women from coming to mosques.

5. The world and all things in it are valuable, but the most valuable thing in the world is a virtuous woman.

6. A Muslim must not hate his wife, and be he displeased with one bad quality in her, then let him be pleased with another which is good.

7. Best of you, before God and His servants, are those who are best for the members of their own families, and I am the best for my family.

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8. That is the perfect Muslim whose disposition is best; and the best of you are they who behave best to their wives.

9. A virtuous wife is a man's best treasure.

10. She is the ideal wife who pleaseth thee when thou lookest at her, obeys thee when thou givest her directions, and protects her honour and thy property when thou art away."

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THE MUSLIM 'ID

We are in the last days of Ramazan. In a few days this sacred month would say us good-bye leaving with us only a faint and lingering recollection of a few sleepless nights that we might have spent in praying to God and remembering Him, in holding communion with Him at dead of night and in singing His praises and paeans, of a few pieces of silver that we might have spent in providing food and clothing for a poor Muslim brother, and possibly of days in which we might have felt a little too much the pangs of thirst and hunger. The end of this month is marked by the celebration of the festival of 'Id-ul-Fitr, a day of universal rejoicing and delight for the whole Muslim world.

Now what is this 'Id and what makes us unusually happy on this day? Is it because we regard Ramazan as a burden and when that burden is removed we are glad? Or is it that we look upon it as a penalty inflicted upon us by God and when we have paid the penalty we are happy? If that is our idea about Ramazan we have a very poor conception of its purpose and significance. Fasting does not consist in remaining hungry and thirsty. That is only its physical aspect. It is the spiritual significance behind this outward physical appearance that lends it so much importance. On the day of 'Id we are not happy because we think that the days of a rigorous discipline to which we were subjected are over and we are free to eat and drink at will. No. We are happy on that day because we realize that Ramazan was a great opportunity and we made proper use of it. Islam wants to make us soldiers and fighters—fighters not against men but against our most deadly and dangerous enemies—our carnal passions, mad physical desires, and evil propensities. In Ramazan we learn to practise self-control, and self-restraint, we learn the uses of discipline, we learn the beauties and benefits of

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resisting evil. And the man who learns to fight his own base desires learns to shed all fears and frights—of man, beast, of failures, discouragements and discomfitures, of hardships, privations and distresses, of imprisonment and even of death. In Ramazan we learn to practise these things.

And we learn also to practically sympathise with those whom accident or the combination of adverse circumstances has placed in a lower level in life. We learn to offer a helping hand to a fallen brother, to assist to raise a friend ground down to earth by the relentless buffeting of successive miseries. The greatest of all lessons of Ramazan is that we learn to live and die for others, serving humanity, sacrificing our own comforts, wants, desires, in fact everything that matters to us in life. This is the inwardness of our fast and this is also the end and object of human existence. Our rejoicing on the day of 'Id is the outward expression of the inward delight that we feel at our knowing in Ramazan the secret and purpose of our existence and the ways and means of achieving that purpose.

In Ramazan we learn to relieve the miseries of our distressed brethren, on the day of 'Id we share our delight and happiness with them. Every Muslim, old young, man, woman, boy, child, free, captive, even a baby few minutes old, is required to give a certain quantity of food or an equivalent amount of money on or before the 'Id day. From the funds thus collected new clothes are made for the destitute and the needy, for orphans and widows and dainty dishes are prepared for them. At least for one day they forget their miseries, sorrows and griefs. Those who do not understand or do not care to understand the real spirit and significance of fasting, for them the day of 'Id is a day of grief and pain because they got an opportunity to learn the one lesson of their life and they carelessly let it pass.

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THE ISLAMIC STATE—II*

(For continuation see last issue of the "Review of Religions")

Conditions under which to appoint an heir-apparent

Briefly the true teachings and practice of Islam lead one to the conclusion that a Khalifa or Amir should be appointed with the advice of the people, as it happened in the case of the first Khalifa of Islam after the Holy Prophet. Still if a Khalifa deems it necessary under certain circumstances, to appoint his successor himself, he is permitted to do so, in conformity with the right spirit of Islam and the practice of the first four Khalifas, and subject to the following five conditions:—

1. There must be present at the time an emergency which necessitates the abandonment of the usual, in favour of this particular, mode of appointment.

2. The successor should be appointed in consultation with the people.

3. The appointment should be confined to the next Khalifa or Amir only. A Khalifa should not nominate a number of persons to succeed him one after the other, as that would deprive future generations of their right of election.

4. The successor should not be a near relative of the Khalifa.

5. The Khalifa appointing his successor should himself be an elected Khalifa.

Can an Amir abdicate

Whether a Khalifa or Amir after being duly elected or appointed can, on grounds of expediency,

*The Nazir Talif-o-Tasneef has forwarded to us the above translation of a chapter of *Sirat-i-Khatamannabiyyin* by Mirza Bashir Ahmad, M.A., which we publish with thanks. An instalment of this translation appeared in the November issue of the *Review of Religions*—Ed.

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voluntarily renounce his office is a question for the solution of which Islam lays down no fundamentals. This, however, is clear that nothing stands in the way of a temporal Khalifa if he chooses to abdicate. On the other hand, the case of religious Khalifas is a matter for serious consideration. History shows that when the rebels of his time demanded of Usman, Khalifa III, to renounce his office on threat of murdering him or removing him by force, he replied that he would never, of his own accord, discard the robe of honour with which God had invested him. This implied a reference to what the Holy Prophet once said to him, *viz.*: "God will invest you with a shirt. The people will try to take it away from you, but see that you do not throw it away. In contrast with this we have an act of Hazrat Imam Husain. In view of the dissensions among Muslims, he renounced Khilafat in favour of Amir Muavia. Tradition says that this act was a fulfilment of the Holy Prophet's prophecy: "God through this grandson of mine will bring about reconciliation between two factions of Muslims." This act has been regarded as bringing credit to Hazrat Imam Husain inasmuch as, on the one hand, it fulfilled a prophecy of the Holy Prophet referring to a distinguishing trait in Imam Husain, and on the other, it helped to collect the Muslims under one banner. These two instances lead to the conclusion that the question of renunciation has been left to be solved by circumstances, existing at the time that is, if Khilafat is well established or if renunciation is demanded by the people as was in the case of Usman, abdication is not only undesirable but also unlawful and if, on the other hand, before the Khilafat of a Khalifa has been firmly established, he with a higher end in view deems it proper to renounce Khilafat voluntarily, as was the case with Imam Husain, he is at liberty to do so. It is necessary here to point out that the proposition here propounded is not an established belief of Islam but an opinion based on facts.

The question whether or not, can an Amir or Khalifa be appointed for a limited period or after

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appointment be removed from office by reason of a defect or weakness on his part deserves serious consideration. In this matter Islam draws a distinction between a religious and a temporal Amir. A spiritual Amir is one who controls religious, or both religious and temporal affairs, and a temporal Amir is one who is concerned with only temporal affairs. With respect to the former, the Holy Quran says:—

"O believers, God promises to those who believe and do virtuous deeds that He will certainly appoint them as Khalifas in this world, as He did in the case of people preceding you, that He will strengthen through them the faith He desired for them and will alter their fears into security. Such persons shall always worship Me, never associate gods with Me, and those who defy such Khalifas shall be regarded as rebels and faithless persons." (24 : 53.)

This verse shows that a spiritual Khilafat is set up by God under His special decree and will. The spiritual Khalifas are specially aided by God. They are meant to bring strength and solidarity to religion. Anyone defying their authority shall be regarded as an insurgent or a rebel in the eyes of God. This verse is further explained by a *Hadis* related by Hazrat Ayesha which runs as follows:—

"At the commencement of the disease of which he died, the Holy Prophet said to me 'I had a mind to call for your father and brother and make a will for Abu Bakr's Khilafat, so that after me no aspirant to Khilafat should claim to have a better right to it than Abu Bakr. But I have given up the idea of believing that the Muslims would not accept as their Khalifa any one except Abu Bakr himself and God would not let any other man be appointed to that office.'"

The *Hadis* clearly proves that although the appointment of a spiritual Khalifa is, to all appearances, made with the advice of the people, yet at the bottom of it is at work the mysterious hand of God and this

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is the true philosophy of the Islamic Khilafat, that is, to outward appearances the election is conducted by believers, but in reality it is under the mysterious control of God. He Himself does not come to the forefront as when He raises a prophet but, through His mysterious promptings directs the hearts of the people towards the person best fitted for Khilafat. Hence in the case of spiritual Khalifas, a limited tenure of office or removal after appointment to it are quite out of the question, although their appointment is made on the basis of election. This is why those who do not submit to the authority of such Khalifas or after tendering allegiance withdraw it, have been declared by God as rebels. Also if considered in the light of reason, the appointment of a spritiual Khalifa should never be, for a limited period, nor should the question of his dethronement be raised after his appointment, because spiritual relations are based on faith and sincerity. A spiritual Khalifa holds the same rank as an Imam. Although he is subject to the Quranic law and is not authorised to alter or modify it, yet his duty is to interpret and enforce it. He has the control of religious matters entirely in his own hands and he serves as a model to his people in practical life. It is therefore repugnant to the whole spirit of religion to regard spiritual relations as temporary or discontinuance thereof, as lawful. Such a policy defeats the very purpose of spiritual relationship, deprives one of the benefits resulting from the obedience and companionship of a reformer and opens the door to that licence in the matter of faith which ultimately leads to irreligion.

The case of temporal Amirs, however, is quite different. Relations with them are based not on faith or sincerity but merely on political necessity. Neither their limited tenure of office nor their removal can directly lead to religious trouble. Islam has, therefore, imposed no specific restrictions with regard to the appointment of purely political authorities: people have been left free: they may limit his period of office if circumstances so require or seek his

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dethronement if emergency so demands by lawful means.

As Islam is a strong advocate of the suppression of disturbances and the maintenance of peace and order, the teachings revealed to the Holy Prophet greatly emphasise that the question of the withdrawal of allegiance or the removal of a Khalifa should not arise except in extreme circumstances. People should not even think of insubordination or disloyalty to him. Great stress has been laid on this point by the Holy Prophet, who says that even in case of clear infringement of their rights, the people should act with patience and submit even to tyranny at his hands, but should not tread the path of rebellion or revolt. He once said, " O Muslims after me a time will come when the persons who are placed as Amirs over you, will violate your rights and do acts highly undesirable and very strange." The Muslims inquired of him how to conduct themselves at that time. His reply was, " Discharge your obligations towards your Amir and demand your rights from Allah."

The Holy Prophet says again, " if a person who breaks allegiance to his Amir and causes dissensions and by cutting himself off from the Muslim community dies unrepentant, he dies the death of Ignorance." At the same time, the Muslims have been enjoined that if they find that the attitude of their Amir is unjust and oppressive, they should try to improve matters by tendering sane advice. An effort of this kind has been regarded in Islam as an act of virtue. The Holy Prophet has accordingly said :—

'When an Amir pursues an oppressive policy the best Jihad then is to tender him sane and just advice and keep him from his cruel acts.'

If in spite of this an Amir still does not mend his ways and insists on following improper course and issues orders clearly opposed to divine law, the people are permitted to obey him in so far as he is just and right and refuse obedience to him in so far as he is wrong. The Holy Prophet says, " Every Muslim

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is bound to obey the order of the Amir, whether he likes it or not, but if an order flagrantly violates divine law, he is not bound to obey it ".

If in spite of the people's representations and partial disobedience of the type described, above an Amir persists in misgovernment and openly adopts a course contrary to religious and constitutional law with the result that his rule becomes so tyrannous that for putting an end to it it seems advisable to risk even the peace of the country and the stability of the State, the people have been permitted to withdraw their allegiance to him and make efforts to bring about his removal.

Obada bin Samat, a well-known Companion of the Holy Prophet, relates :—

" Whenever the Holy Prophet administered to us the oath of allegiance we had to declare that we would obey our Amir under all circumstances, whether we were poor or rich, willing or unwilling, and whether our rights were protected or violated, and that we would under no circumstance fall out with him on the score of Amirhood." And the Holy Prophet always added, ' if the attitude of your Amir is one of open (Kufr) defiance, that is, if you find him clearly violating the fundamentals of divine law and you have plain and conclusive reasons from God to establish such violation you are then at liberty to withhold your allegiance." The word ' Kufr ' used in this *Hadis* does not mean unbelief, but violation of the basic principles of the Shariat. Accordingly in another *Hadis*, it is said that the murder of an innocent Muslim is also ' Kufr '. The more learned among the Companions of the Prophet have also applied this term to the unlawful movement that was started by agitators in the time of Hazrat Usman. Yet before a revolt is led against an Amir, his ' Kufr ' must be established beyond all doubt and it should be proved that he is not suffering from any error of judgment, so much so that it should be impossible to adduce even a far-fetched argument for his exoneration and his misrule should be so oppressive that for its prevention it is expedient to endanger the peace and integrity of the State.

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Attempts to Remove an Amir are Unlawful

Even under the circumstances described above, Islam does not allow anyone to raise the standard of revolt against an Amir while residing within his dominions and giving allegiance to him. The object aimed at is to avoid a civil war in the country, the appalling spectacle of the subjects waging war against their ruler whilst living within his territory. Under the emergencies referred to above Islam directs that those who believe the rule of their Amir to be extremely injurious should first leave his territory and then, if necessary, strive to bring about his removal. It was in obedience to this principle that the Holy Prophet resorted to emigration. Coerced by the tyrrany and religious persecution of the Quraish Chiefs, he left the protection of the government at Mecca. It was after his emigration that God fulfilled through him, His design of overthrowing their oppressive rule. Almost the same course was adopted under divine command by the Israelites when tyannized by Pharaoh. Under the leadership of Moses, they quitted his dominions. Similar was the line of action taken by Abdullah bin Zubair and Hazrat Imam Husain during the reign of Yazid Bin Muavia, Bin Abi Sufyan. When ill-advised, Amir Muavia sought to appoint, contrary to the teachings of Islam and practice of the first four Khalifas, his own son Yazid, as his successor, they (Abdulla and Imam Husain) openly declared it un-Islamic. But when Muavia ignoring their advice and relying on the support of the general mass, did appoint Yazid, as his successor, they had to keep silent as he was then in authority and they had pledged themselves to his allegiance. They therefore did not rise against him as it was unlawful so long as they were under the jurisdiction of his government. Moreover, it was not then practicable to leave his dominion. When Amir Muavia died and Yazid announced his Khilafat, Imam Husain and Abdulla bin Zubair, did not swear allegiance to him. On the other hand, they at once rose against him as at that particular moment they did not owe allegiance to him.

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To take up arms against him at that juncture was tantamount to waging war against him from outside his kingdom. This struggle of theirs, however, yielded no permanent results and the oppressive rule of the Ummayads gained ground. At any rate, Islam abhors the idea of a people rebelling against their Amir whilst enjoying the protection of his government. It, on the other hand, lays down that if a person finds that the conduct of an Amir is highly unconstitutional and his rule is so injurious that for its prevention it is expedient to risk even the peace and unity of the State, he should first quit his territory and then try to overthrow him.

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NOTES AND COMMENTS

Transmigration of Souls

The doctrine of the transmigration of souls is one of the basic principles of the Hindu religion. The Arya Smajists are especially proud of it. They ascribe the disparity in human circumstances to a previous existence. The stupidity and poverty of one person and the opulence and intelligence of another, they believe, is the result of the good and evil deeds committed by these persons in a life before this life. The belief which degrades God into a heartless tyrant who has not the power nor the intent to forgive the sins and delinquencies of men carries its refutation with itself and hundred and one arguments may be given to irrefutably rebut this most foolish and groundless doctrine. To say because we do not know what else is the cause of the inequality of human circumstances, therefore a previous existence must be held responsible for it, is evidently a very poor proof. There is no evidence of our having lived a previous life and the fact that the sufferers in this life are kept quite ignorant of the bad deeds of which they suffer the consequences and thus are totally deprived of all chances of improvement and of any safeguard against committing the same deeds becomes mere vindictiveness on the part of God and degrades Him into a heartless tyrant, who punishes without letting the sufferers know what they suffer for. The upholders of this doctrine seem also to ignore the patent fact that if the disparity in human conditions proves a previous existence, to what would be attributed inequality in animals and birds and in inanimate things. If the sufferings of this life were considered to be the result of a past existence, how could the sufferings of Great Teachers of humanity—of Jesus on the Cross, of Rama and the Holy Prophet in Banishment and Flight, of Moses, Zoroaster and Buddha—be explained? Moreover the feeling that one is suffering from what one cannot undo creates a sense of despair and helplessness. If wealth and comforts are the outcome of previous good deeds, then the pious should be the wealthiest and should never suffer from any pain, discomfort and misery while in actual life we see that the case is generally quite the opposite. Moreover salvation

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is supposed to be the goal of human life, and it is a state of mind which a *darvesh* in his humble hut, as well as a monarch on his throne, has equal chances of obtaining by the proper use of the opportunities offered to him and the capacities and faculties he is endowed with. Poor, indeed, is the conception of salvation of a people who measure it by the comforts of the body and material gains. This doctrine puts too much value on wealth, distinction of birth and station in life which fact helps to create in its holder an entirely material outlook on life and make him despise labour. Caste-system in Hinduism, is therefore, the natural result of this doctrine and if caste system disappeared from Hindu society, a basic doctrine of the Hindu religion will be disproved and this ancient religion shaken to its foundations.

* * *

The Palestinian Arab Cause

Writing in *The Catholic World*, D. Harold Hickey presents the case of the Arabs in Palestine. He observes:

When Great Britain assumed the mandate of Palestine and Transjordania following the World War, she found herself in the awkward position of one who has promised that two bodies shall occupy the same space at the same time.

The difference in these two promises lies in the fact that the one made to the Arabs has all the binding force of a treaty for such it was. On October 24, 1915, Sir Henry M'Mahon accepted on behalf of the British Government an agreement with the Shareef of Mecca, later King Husain, fixing the boundaries of the independent Arabic State, which included Palestine. This pledge was later, confirmed by Lord Balfour in 1918, and by Lord Carson to King Feisal in 1919. The agreement, however, was never made public. Later, in 1916, without the knowledge of King Husain, the British Government made a secret agreement with the French Republic which excluded Palestine from the new Arabic state. Still later, in 1917, Lord Balfour promised Lord Rothschild that a National Home for Jews would be established in Palestine.

The contention of all the Arabs with whom I talked, was that the promise made to them had priority over that made to the Jews

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because it had been made to an ally, a leader of a fighting nation, —King Husain—who had put a quarter of a million men in the field. The Arabs feel, therefore, that they have been betrayed. They are convinced that they won the War for the Allies in the Near East.

To claim that the Arabs are benefiting through Jewish development of Palestine sounds ironical in view of the fact that thousands have been thrown out of employment while other small businessmen have been undersold as a result of their inability to compete with mass production and sharp practice.

Furthermore, the Arabs feel outraged by the fact that while every commission appointed by the British Government to investigate conditions in Palestine has favoured their cause, the findings and recommendations of these commissions have been repeatedly ignored.

In spite of the fact that these commissions were unanimous in the opinion that the present population was all that the country could absorb, at least for the time being, the legal immigration into Palestine for the past three years has been as follows: 1933, 32,000; 1934, 42,000 1935, 61,500. In addition to the above, it has been claimed that at least 1,500 Jews find their way in illegally each year.

* * *

Urdu *versus* Hindi

For some years past a controversy has been going on in the press whether Urdu or Hindi should be the official language when India gets national self-government. The Hindu politicians have carried on an intensive propaganda in favour of Hindi. Urdu, they contend, is a foreign language. Though it originated in India but as a great majority of its words are Persian or Arabic in origin, it is as strange a language as English, Persian or Arabic is. They seek to have Sanskrit revived in India and thus Hinduise India as Mustafa Kemal has Westernised Turkey. The language of a people is the custodian of its culture. If Hindi becomes the official language of India, the Muslims of India will forget their past, their traditions, the contributions which their forefathers made to the

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building up of India and the human society at large. They will lose all contact with Persia and Arabia and naturally with the Quran and the doings of their ancestors of which they are so proud. In a few decades they will become Hindu in all but name. The protagonists of Urdu apparently have a stronger case. The Hindus do not lose anything if Urdu in Persian script is made the official language of India. Sanskrit is already a dead language. It is not spoken except by a few learned Pandits. Those who have to learn the Vedas and the ancient Hindu lore have to make a special study of it.

Urdu is understood all over India and if it gets a little more backing from the Hindus, it has the aptitude to become still more popular. It has the elasticity which is so necessary for the expansion of a young language. It imports words and phrases from all languages and makes them its own very soon.

If Urdu is left to itself and no hindrances are put in the way of its progress, it is much more likely to be the language spoken by the people than Hindi. The reason is not far to seek. Arabic and Persian are living languages, being spoken in Arabia, Iraq, Egypt, Morocco, Tripoli, Tunis, Syria and Iran, as well as parts of Afghanistan.

The advantage which Urdu possesses is that it is allied to the living languages of the neighbouring countries of India. With the growth of international relations, freer intercourse between the inhabitants of neighbouring countries is fully assured. Frequent arrivals of visitors from such countries will add to the vocabulary of Urdu and help its steady development. India coming into close contact with the Western Asiatic countries both socially and commercially is likely to import part of their vocabulary and to absorb it in its own language. Necessities of trade and commerce would be important factors in the enlargement of our vocabulary. It is, therefore, not an imaginary hope that with the lapse of time the Hindustani language will be enriched more and more by borrowing words from Arabic, Turkish, Persian and Pushto. With all these advantages Urdu can claim to be the *Lingua Franca* of India, provided, of course, prejudices be caste aside.

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Status of Woman in Islam

The Reverend H. E. E. Hayes, formerly a missionary in Egypt, speaking in St. Barnabas Church, Croydon (England) said :

"Under the Islamic system of religion woman was terribly degraded, for religious lawyers said that when a woman married she became the slave of her husband. He could beat her and ill-treat her as he pleased so long as he did not break a bone or cause too much blood to flow.

"He could have four legal wives at once and as many concubines as he pleased. He could divorce a wife for no reason at all. The result was that there was no real family life. Women became furtive and deceitful and were in the habit of stealing from their husbands to make provision for themselves against the day of divorce."

This statement of the reverend gentleman is a tissue of undiluted lies spoken before an audience who were evidently quite ignorant of the real Islamic teaching about the status and position of woman. For scarcity of space we cannot deal with this question here in detail but we claim and assert with all the emphasis that we can command that the status which Islam accords to woman is higher than accorded to her by Christianity or any other religion or even by the most civilized country of the West.

After marriage, just as before marriage, a Muslim woman retains her individuality, her possessions, her name. She does not become Mrs. so and so after she is married. She is the sole mistress of her possessions, which she can make use of in any way she likes. Her husband has no right to ill-treat her. A man excercises the right to marry more than one wife. But then this is only a concession, a provision which is hedged around by a variety of limitations. And who can question the soundness of this Islamic institution under special circumstances ? Concubinage is positively forbidden in Islam though it was encouraged and freely practised by popes, priests and padres in the past. Certainly a Muslim can divorce his wife but the State can intervene if it is satisfied that no legitimate cause exists for it. The wife can also secure divorce if she finds that she cannot pull on with her husband. The necessity of this institution is now increasingly being recog-

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nised by the communities by which it was previously looked upon with abhorrence and horror. The problem of shattered homes is the problem of the West and not of Muslim countries. Muslim ladies are content with the pleasures of the hearth and home while their so-called advanced sisters in the West find the delight of their hearts in cinemas, theatres, dancing and drinking. Let the reverend gentleman know that Islam has recognised woman's rights in property, in inheritance and in guardianship in the family to an extent to which Christianty has not, and even the most advanced country in Christendom has not.

* * *

Have We Faith

In the course of a long article in the *Sunday Express* (London) a writer says :—

"I am told that religion is losing its hold on the hearts of the people, that faith is diminishing, and that we are fast degenerating. Churches are empty ; young people do not think—worse, they do not want to think ; we are becoming a godless, faithless race.

"That is what people tell me. I believe them to be wrong. I have still a beautiful belief in the power of faith, and I declare that it is as strong within us to-day as ever it was, even if we happen to have less cleaving to sect. I have never met a real atheist ; I do not believe he exists. I have met people who supposed themselves to be atheists and who have stoutly declared that they believed in no god. Yet when death or great fear threatened them, they intuitively prayed. Faith is born within one ; it is the firm, intimate knowledge of God, it is greatness lying within one's soul."

We quite agree with the writer that there are very few real atheists in the world. What most people who take pride in calling themselves agnostics or atheists reject is their own false conception of God. Belief in God Who is our Creator, Supporter, Nourisher is implanted in our natures too firmly to be eradicated by any extraneous influences. Faith in Him is the basic emotion of the human soul. The English people are neither atheists nor even irreligious. We

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have after a close association with them and a careful study of the British mind and the influences that are affecting the conditions of the British people come to the conclusion that they are as religious as any other people. What they have rejected and rejected for ever are the precepts and practices, dogmas and doctrines of the Christian Church. They are irreligious and atheists in the sense that they have no use for the institutions of Christianity and no respect for God as depicted by it. And small wonder if the British mind and conscience have refused to remain satisfied any more with a religious system whose dogmas and doctrines, forms and institutions suffer unending amendations, eliminations and interpolations to meet the temporary changes that occur in their mental outlook and social conditions. They do not want to know how Jesus died and how he rose from the dead and flew to heaven but how they should solve the problems of their daily life. This is what they want and this is exactly what Christianity fails to give.

* * *

Who Designed the Taj

"Of the two legends relating to the supposed European designer of the Taj, one is on the face of it simply preposterous, and has been rejected by all modern writers. It is Saleeman who was responsible for the fanciful suggestion that Ustad Isa referred to in all contemporary Persian chronicles as one of the chief architects employed by Shah Jahan to build the Taj was no other than Austin de Bordeaux, a Frenchman in the Emperor's service, because the name 'Ustad Isa' literally signifies 'Master Jesus,' *i.e.*, a Christian, and as it is known that the latter alone was the most prominent European artist at the Moghal Court at this time, he may have been popularly known as 'Ustad Isa'.

A study of the contemporary sources reveals that Ustad Isa was only the abbreviated name of Muhammad Isa Effendi who, according to the most reliable sources like the *Badshahnama*, the *Aml-i-Salih*, etc., was a resident of Rum (Constantinople).

The other legend which is merely more plausible than the first one has been stoutly supported by writers like Keene, Vincent Smith, the Rev. H. Hosten, etc. A Spanish friar, Father Manrique, who came to India in Shah Jahan's time is the original author of

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the story that a Venetian, Geronimo Veroneo, planned the Taj. The truth of this story entirely depends upon the credibility of Manrique's assertion, as no other contemporary traveller or chronicler repeats it.

A number of arguments have been advanced in support of Manrique's account. Firstly, that no Indian chronicler mentions Veroneo's name is not surprising, as the Muslim writers may have intentionally suppressed the details concerning the share of a European in the construction of the Taj in order to give the entire credit to Muslim architects. Secondly, there is a reason why Manrique should have wilfully concocted the story. He had every opportunity to learn the facts concerning the Taj. Besides he is known to have been on friendly terms with Asaf Khan, the father of Mumtaz. As such, he must be expected to have made his statement from personal knowledge. Thirdly, Manrique published his work in Europe in 1649, *i.e.*, before the work on the Taj was completed, which shows that he wrote about it before he could have had a full idea of the grandeur of the finished building. Fourthly, although Veroneo died in Lahore, his body was brought to Agra where he was buried in 1640. This fact clearly indicates the importance of the man. Fifthly, the actual design of the tomb is not European, yet it was not impossible for a clever European to have made it in consultation with, and with the help of, local architects. Sixthly, as Veroneo died before the completion of the Taj, Ustad Isa may have been the chief superintending architect in the later stages of the construction, and this may be the reason why the former's name has been ignored in the chronicles. Seventhly, Father Catron wrote in his *History of the Moghul Empire* (London, 1709) that the Delhi gardens were planned by a Venetian. Father Hosten has argued that the Agra gardens were also planned by a Venetian, as the Anguribagh shows Italian design ; and because the garden of the Taj is a part and parcel of the building, and is co-ordinated with its architectural idea, it may be assumed that the same Venetian planned the Taj also. Eighthly, the proposed site and the foundation of Shah Jahan's own tomb on the other side of the Jumna indicate an un-Indian and Italian character. The proposed bridge over the Jumna also could never have been planned by an Indian engineer, as no Indian had previously undertaken to bridge a river as broad as the Jumna. Lastly, the famous screen railing round the cenotaph, and the inlay work

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show Italian influence, and support the story of the Italian designer of the Taj.

Although this view has been thoroughly exposed by several responsible art critics, it still survives in some quarters.

Among the modern critics who have ridiculed the story of Manrique, the names of Mr. E. B. Havell, and Sir John Marshall are the most prominent. Both on historical and artistic grounds it may be convincingly shown that the legend of the European designer is fantastic.

The Persian chronicles have left the fullest details with respect to the Taj, its builders, their salaries, the total cost of the buildings, and its materials, etc., and they all mention the Turkish, the Irani, and the Indian architects, craftsmen, and gardeners It would be absurd to say that they could all jointly conspire to suppress the name of a European. It is again noteworthy that no other European traveller corroborates Manrique's account. Had it been accurate, competent observers, like Bernier, Travernier, and Manucci would surely have been the first people to give due credit to a fellow-European. Some of them have given currency to the wildest of gossip heard by them.

It is probable that the Italian may have been employed in some humble capacity during the construction, and as he died long before the completion of the buildings, his name has not been mentioned in any chronicle.

As a matter of fact, the general plan of the tomb is taken from Humayun's tomb at Delhi. Of this there can be no doubt at all. In the later monument also can be seen the introduction of that stone inlay which reached its perfection in the Taj, and its four corner cupolas and the narrow-necked dome were all adopted in the Taj.

The entire conception of the Taj is so Indian that the very mention of European influence in it sounds ridiculous. The whole internal evidence of the building militates against the theory of its European origin.

The human quality of the Taj is the supreme psychological proof of Indian character.

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The Taj is the expression in living marble of a superb conception of feminine beauty and conjugal love.

The Taj was meant to be feminine, because it is Mumtaz herself. No amount of casuistry or propaganda can entitle an obscure European adventurer to be ranked as its designer.

The fable of the Venetian builder, which is no better than a bedtime tale, merely illustrates the superiority complex of a class of European writers who believe that everything of outstanding merit in India must have originated from Europe.

—*The Twentieth Century.*

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Printed at the Ripon Printing Press, Bull Road, Lahore, by Mirza Mohd. Sadiq and published by Sheikh Abdur Rahman Qadiani for Sadar Anjuman-i-Ahmadiyya Qadian, Punjab, India.